

**IN THE CLAIMS:**

This listing of claims will replace all prior versions, and listings, of claims in the application:

**Listing of Claims:**

Claim 1. (*Currently Amended*) A lockable ashtray for disposing of cigarette butts, comprising:

a dome shaped cover defining at least one aperture therein;

wherein said dome shaped cover is substantially hemi-spherical;

a lower section;

a hinge connecting the said cover to the said lower section, the said cover being movable between a closed position and an open position;

a lock attached to the said cover and the said lower section; and

a tray disposed beneath the said cover, wherein the said tray can adapted to hold cigarette butts;

an inflammable material, said inflammable material at least partially filling said tray;

wherein the said cover hides cigarette butts from view, the and said cover and the said lock preventing unauthorized access to the cigarette butts.

Claim 2. (*Canceled*)

Claim 3. (*Currently Amended*) The lockable ashtray according to claim 1, wherein the cover is a dome shaped cover defining said at least one circular aperture therein having has a diameter between about 0.5" and 2".

Claim 4. (*Currently Amended*) The lockable ashtray according to claim 1, wherein ~~the cover is a dome shaped cover defining said~~ at least one circular aperture ~~therein having~~ has a diameter between about 1" and 2".

Claim 5. (*Currently Amended*) The lockable ashtray according to claim 1, wherein ~~the cover is a dome shaped cover defining said~~ at least one circular aperture ~~therein having~~ has a diameter of about 1".

Claim 6. (*Currently Amended*) The lockable ashtray according to claim 1, wherein ~~the cover is a dome shaped cover defining said~~ at least one narrow elongated aperture ~~therein having~~ has a width between about 0.5" and 1".

Claims 7-9. (*Canceled*)

Claim 10. (*Currently Amended*) The lockable ashtray according to claim 1, wherein ~~the~~ said lock is selected from the group consisting of a recessed lock and a padlock.

Claim 11. (*Canceled*)

Claim 12. (*Currently Amended*) The lockable ashtray according to claim 1, wherein ~~the~~ ashtray is at least partly filled with said inflammable material is sand.

Claim 13. (*Currently Amended*) The lockable ashtray according to claim 1, wherein the said lower section is adapted to be attached to a trashcan.

Claim 14. (*Currently Amended*) The lockable ashtray according to claim 1, wherein a chain attaches the said lower section to a trashcan.

Claim 15. (*Currently Amended*) A lockable ashtray for depositing and temporarily storing cigarette butts, comprising:

a dome shaped cover defining an aperture therein;

wherein said dome shaped cover is substantially hemi-spherical;

a lower section;

a hinge connecting the said cover to the said lower section, the said cover being movable between a closed position and an open position;

a lock attached to the said cover and the said lower section; and

a tray located beneath the said cover, the said tray being capable of holding a plurality of discarded cigarette butts;

wherein the said cover hides cigarette butts from view, the said cover and the said lock preventing prevents unauthorized access to the cigarette butts.

Claim 16. (*Currently Amended*) The lockable ashtray according to claim 15, wherein the said aperture has circular dimensions with a diameter between about 0.5" and 2".

Claim 17. (*Currently Amended*) The lockable ashtray according to claim 15, wherein the said aperture has circular dimensions with a diameter between about 1" and 2".

Claim 18. (*Currently Amended*) The lockable ashtray according to claim 15, wherein the said aperture has circular dimensions with a diameter of about 1".

Claim 19. (*Currently Amended*) A lockable ashtray for depositing and temporarily storing cigarette butts, comprising:

    a cone shaped cover defining at least one aperture of circular dimensions between about 0.5" and 2" in diameter;

    a cylinder shaped vessel having an inner lining defining an internal cavity at least partly filled with a bottom layer of immobile material and an upper layer of the non-inflammable an inflammable material; and

    a lock to reversibly secure the said cover to the said cylinder shaped vessel,  
    whereby the said lockable ashtray solves the problem of hiding cigarette butts from view  
    while simultaneously inhibiting children or adults from gaining access to the ashtray.

Claim 20. (*Currently Amended*) The lockable ashtray according to claim 19, wherein the said aperture has a diameter of about 1".